



Att'y Dkt. No. US-110  
U.S. App. No. 10/720,177

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Nakamura et al.

Appl. No.: 10/720,177

Filing Date: November 25, 2003

Title: Method for producing L-glutamine and L-glutamine producing bacterium

Art Unit: 1632

Examiner: to be assigned

Atty. Docket: US-110

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐c. Attached is our check no. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

☐3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐4. Relevance of the non-English language document(s) is discussed in the present specification. See pages \_\_\_\_\_ of the specification of the present application.

☐5. The document(s) was/were cited in a corresponding foreign application. ☐ A copy of a search report issued in the foreign application is attached. ☐ An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

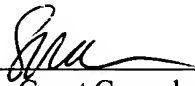
☒6. A concise explanation of the relevance of the non-English language document(s) ☒ is attached hereto or ☐ appears below.

- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Other: \_\_\_\_\_

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully submitted,

By: \_\_\_\_\_

  
Shelly Guest Cermak  
Reg. No. 39,571

Date: April 6, 2004

**000038108**

PATENT TRADEMARK OFFICE

Ajinomoto USA, Inc.

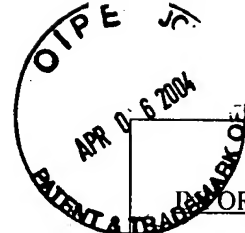
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FORM PTO 1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DKT. NO.: US-110	APP. NO.: 10/720,177
	APPLICANT(S): Nakamura et al.	
	FILING DATE: November 25, 2003	Group Art Unit: 1632

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	US2003/0003550	2 Jan. 2003	Nakamura et al.	435	110	5 Feb. 2002

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	EP 0841395	13 May 1998	EPO	C12N	15/52	<input type="checkbox"/> Yes <input type="checkbox"/> No
	EP 0796912	24 Sep. 1997	EPO	C12N	15/00	<input type="checkbox"/> Yes <input type="checkbox"/> No
	EP 1077256	21 Feb. 2001	EPO	C12N	9/78	<input type="checkbox"/> Yes <input type="checkbox"/> No
	EP 1033407	06 Sep. 2000	EPO	C12N	15/67	<input type="checkbox"/> Yes <input type="checkbox"/> No

## OTHER (Including Author, Title, Date, Pertinent Pages, Publisher, etc.)

	Kanno S. et al., <i>Corynebacterium glutamicum</i> gltB and gltD genes for glutamine 2-oxoglutarate aminotransferase large and small subunits, complete cds., GenBank Accession Number AB024708, 13 Mar. 1999
	Nakagawa S., Complete genomic sequence of <i>Corynebacterium glutamicum</i> ATCC 13032, GenBank Accession Number AP005281, 24 May 2002; Pertinent pages 1, 133, 282-283.
	Jakoby M. et al., Isolation of the <i>Corynebacterium glutamicum</i> <i>glnA</i> gene encoding glutamine synthetase I, FEMS Microbiology Letters, 1997, p. 81-88, Vol. 154
	Huser A. et al., Cloning sequence analysis, and expression of <i>ansB</i> from <i>Pseudomonas fluorescens</i> , encoding periplasmic glutaminase/asparaginase, FEMS Microbiology Letters, 1990, p. 327-335, Vol. 178
	Beckers G. et al., Glutamate synthetase of <i>Corynebacterium glutamicum</i> is not essential for glutamate synthesis and is regulated by the nitrogen status, Microbiology, 2001, p. 2961-2970, Vol. 147
	Oshima et al., Studies on L-Glutamic Acid Fermentation to L-Glutamine Fermentation, Amino Acids, 1963, p. 73-77, Vol. 7 (Partial English translation is attached.)
	Koibuchi et al., Molecular cloning and characterization of a gene encoding glutaminase from <i>Aspergillus oryzae</i> , Appl. Microbiol. Biotechnol., 2000, p. 59-68, Vol. 54
	Calderon J. et al., Sequence and molecular analysis of the <i>Rhizobium elli</i> <i>glsA</i> gene, encoding a thermolabile glutaminase, Biochimica et Biophysica Acta, 1999, p. 451-456, Vol. 1444
	Shapiro A. R. et al., Isolation, Characterization, and <i>in Vitro</i> Expression of a cDNA That Encodes the Kidney Isoenzyme of the Mitochondrial Glutaminase, THE JOURNAL OF BIOLOGICAL CHEMISTRY, 1991, p. 18792-18796, Vol. 266, No. 28
	Hartman C. S., Glutaminase of <i>Escherichia coli</i> , THE JOURNAL OF BIOLOGICAL CHEMISTRY, 1968, p. 853-863, Vol. 243, No. 5
	Shulz A.A. et al., Nitrogen and carbon regulation of glutamine synthetase and glutamate synthase in <i>Corynebacterium glutamicum</i> ATCC 13032, FEMS Microbiology Letters, 2001, p. 361-367, Vol. 205

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	